

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ DEC 22 2010 ★

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BRIAN NASH,

Plaintiff,

-against-

JOHN E. POTTER, Postmaster General, and
UNITED STATES POST OFFICE,

Defendants.
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LEVY, United States Magistrate Judge:

REPORT AND
RECOMMENDATION

10 CV 900 (JBW) (RML)

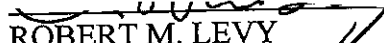
*clerk of court
issue judgment
dismissed for lack of
prosecution
12/9/10*

BROOKLYN OFFICE

Plaintiff Brian Nash commenced this employment discrimination case on March 1, 2010. After requesting and receiving a number of adjournments and extensions, plaintiff's counsel filed a status report, dated October 1, 2010, stating that plaintiff planned to dismiss this matter voluntarily by November 5, 2010. (See Letter of Thomas F. Bello, Esq., dated Oc. 1, 2010.) Plaintiff did not file a notice of discontinuance by that date. Accordingly, I respectfully recommend that this case be dismissed for lack of prosecution.

Objections to this Report and Recommendation must be filed within fourteen (14) days, with courtesy copies to Judge Weinstein and to my chambers, in order to preserve appellate review. See 28 U.S.C. § 636(b)(1).

Respectfully submitted,

s/Robert Levy

ROBERT M. LEVY
United States Magistrate Judge

Dated: Brooklyn, New York
December 7, 2010